

REMARKS

Claims 1-18 are pending. Claims 1, 7, 10, and 16 have been amended.

The Office Action includes a requirement that applicant provide clarification of the terminology “electrical function” in the specification and claims. The specification and claims have been amended to clarify that electrical functions are provided by circuitry. No new matter has been entered.

Claims 1, 8, and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,562,488 to Neiser et al. Applicant respectfully requests reconsideration of this rejection.

Claim 1 has been amended to clarify that the wall plate body is arranged and configured to cover an existing wall plate. The wall plate body includes a frame with an edge that defines a space into which the existing wall plate fits.

Neiser et al. discloses a modular wall plate assembly that replaces the existing wall plate. Installation of the modular wall plate assembly takes place by *removing* the wall plate from the wall socket. See col. 4, lines 7-9 and 25-28. Further, Neiser et al. lacks a frame, as admitted in paragraph 8 of the Office Action. Neiser et al. does not anticipate claim 1 as amended. Claims 8 and 9 depend from claim 1 and so are patentable for at least the same reasons.

Claims 2, 3, and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Neiser et al. in view of U.S. Pat. No. 6,087,588 to Soules. Applicant respectfully requests reconsideration of this rejection.

Claims 2, 3, and 7 depend from claim 1, which is not anticipated by Neiser et al. Soules has not been applied against claim 1, and in any event does not cure the deficiencies of Neiser et al. Soules has been cited as providing a night light, an alarm, or a switch, which are missing from Neiser et al. The wall plate disclosed by Soules replaces the

existing wall plate. Soules does not combine with Neiser et al. to teach or suggest a wall plate body that covers an existing wall plate. Claim 1 is patentable over the proposed combination of Neiser et al. and Soules. Claims 2, 3, and 7 depend from claim 1 and are patentable for at least the same reasons.

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Neiser et al. in view of Soules, further in view of U.S. Pat. No. 5,015,994 to Hoberman et al. Applicant respectfully requests reconsideration of this rejection.

Claim 4 depends from claim 1. Claim 1 is patentable over the proposed combination of Neiser et al. and Soules. Hoberman et al. has not been applied against claim 1, and in any event does not serve to cure the deficiencies of Neiser et al. and Soules. Hoberman et al. has been cited as providing an LED light. Hoberman et al. teaches a security light that does not completely cover the existing wall plate. Hoberman et al. does not combine with Neiser et al. and Soules to render obvious the present invention as recited in claim 1. Claim 4 is dependent on claim 1, and is patentable for at least the same reasons.

Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Neiser et al. in view of Soules, further in view of U.S. Pat. No. 6,057,776 to Sargent. Applicant respectfully requests reconsideration of this rejection.

Claims 5 and 6 depend from claim 1, which is patentable over Neiser et al. and Soules. Sargent has not been cited against claim 1, but in any event does not cure the deficiencies of Neiser et al. and Soules. Sargent discloses fluorescent and incandescent lights used in connection with an add-on to a garage door opening system. Sargent does not teach or suggest a wall plate body with a frame having edges that define a space into which a wall plate cover fits to completely cover the wall plate. The proposed combination relies on selecting an isolated teachings from the cited references in an improper attempt at hindsight reconstruction of the present invention. Claim 1 is patentable over the proposed

combination of Neiser et al., Soules, and Sargent. Claims 5 and 6 depend from claim 1, and so are patentable over the proposed combination for at least the same reasons.

Claims 10, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Neiser et al. in view of U.S. Pat. No. 4,875,880 to Welch et al. Applicant respectfully requests reconsideration of this rejection.

Claim 10 has been amended to recited a wall plate assembly with a frame having an edge that defines a space in which an existing wall plate fits. The wall plate completely covers the outer face of the existing wall plate. As noted above, Neiser et al. discloses a modular outlet assembly that replaces an existing wall plate. Neiser et al. does not teach or suggest a wall plate that covers an existing wall plate. Welch et al. does not cure the deficiencies of Neiser et al. Welch et al. discloses a modular faceplate system including an outlet box (housing unit) and various modules. The Office Action asserts that the housing unit provides a frame, and that this frame covers a wall plate 20. Welch et al. does not teach or suggest, however, a wall plate assembly having a frame formed around a housing unit that is sized and shaped to completely cover the outward face of a wall plate, as recited in amended claim 10.

Moreover, the frame/housing unit disclosed by Welch et al. does not combine with the modular outlet assembly of Neiser et al. to provide the present invention. Neiser et al. relates to replacing an existing wall plate with a modular unit that mounts securely to the wall. The attempt to combine into this modular unit selected features of the faceplate system of Welch et al. appears to be an improper hindsight attempt at reconstruction using the present invention as a template. Further, by selecting only certain features of the prior art, the proposed combination improperly does not consider the prior art references in their entirety. Claim 10, and its dependent claims 17 and 18, are patentable over the proposed combination of Neiser et al. and Welch et al.

Claims 11, 12, and 16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Neiser et al. in view of Welch et al., further in view of Soules. Applicant respectfully requests reconsideration of this rejection.

Claims 11, 12, and 16 depend from claim 10, which is patentable over Neiser et al. in view of Welch et al. and further in view of Soules. Soules combined with Neiser et al. and Welch et al. has not been cited against claim 10. In any event, Soules does not cure the deficiencies of the proposed combination of the prior art. Soules has been cited as providing a night light, an alarm, or a switch, which are missing from Neiser et al. The cover plate disclosed in Soules is intended to replace, not cover, an existing wall plate. Claim 10 is patentable over the proposed combination of Neiser et al., Welch et al., and Soules. Claims 11, 12, and 16 depend from claim 10 and are patentable over the proposed combination for at least the same reasons.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Neiser et al. in view of Welch et al. and Soules, further in view of Hoberman et al. Applicant respectfully requests reconsideration of this rejection.

Claim 13 depends from claim 10, which is patentable over the proposed combination of Neiser et al., Welch et al., and Soules. Hoberman et al., which has not been applied against claim 10, does not cure the deficiencies of the proposed combination. Hoberman et al. discloses an LED night light in a plug-in unit. Hoberman et al. does not teach or suggest a wall plate assembly that completely covers an existing wall plate. Claim 10, and its dependent claim 13, are patentable over the proposed combination of Neiser et al., Welch et al., Soules, and Hoberman et al.

Claims 14 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Neiser et al. in view of Welch et al. and Soules, further in view of Sargent. Applicant respectfully requests reconsideration of this rejection.

Claims 14 and 15 depend from claim 10, which is patentable over Neiser et al. in view of Welch et al. and Soules. Sargent has not been applied against claim 10, and not in combination with Neiser et al. Welch et al. and Soules. As noted above, Sargent relates to an add-on unit for an existing garage door opener. Sargent does not relate to wall plates, or wall plates that cover existing wall plates, and so does not teach or suggest a wall plate body having a frame with an edge that defines a space into which an existing wall plate will fit and be covered. Claim 10 is patentable over the proposed combination of Neiser et al., Welch et al., and Soules. Claims 14 and 15 depend from claim 10, and so are patentable over the cited prior art for at least the same reasons.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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